

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

RICHARD CROWELL,

Plaintiff,

v.

BADAWI ABDELLATIF,

Defendant.

Case No. 15-10690

District Judge Arthur J. Tarnow

Magistrate Judge R. Steven Whalen

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**REPORT AND RECOMMENDATION**

On February 23, 2015, Plaintiff Richard K. Cromwell (“Plaintiff”), a Michigan Department of Corrections (“MDOC”) inmate currently housed at the Macomb Correctional Facility, filed a *pro se* civil complaint pursuant to 42 U.S.C. § 1983. Currently before the Court is Plaintiff’s motion for dismissal of Defendant Badawi Abdellatif (“Defendant”) without prejudice [Doc. #31], which has been referred for a Report and Recommendation pursuant to 28 U.S.C. § 636(b)(1)(B). On August 27, 2015, Defendant filed a response, stating that he had no objection to the motion to dismiss him without prejudice [Doc. #32]. Because Defendant does not object, I recommend that Plaintiff’s motion [Doc. #31] be GRANTED, dismissing Defendant Badawi Abdellatif WITHOUT PREJUDICE.

Any objections to this Report and Recommendation must be filed within fourteen (14) days of service of a copy hereof as provided for in 28 U.S.C. § 636(b)(1) and E.D. Mich. LR

72.1(d)(2). Failure to file specific objections constitutes a waiver of any further right of appeal. *Thomas v Arn*, 474 U.S. 140, 106 S.Ct. 466, 88 L.Ed.2d 435 (1985); *Howard v Secretary of HHS*, 932 F.2d 505 (6<sup>th</sup> Cir. 1991); *United States v Walters*, 638 F.2d 947 (6<sup>th</sup> Cir. 1981). Filing of objections which raise some issues but fail to raise others with specificity will not preserve all the objections a party might have to this Report and Recommendation. *Willis v Secretary of HHS*, 931 F.2d 390, 401 (6<sup>th</sup> Cir. 1991); *Smith v Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6<sup>th</sup> Cir. 1987). Pursuant to E.D. Mich. LR 72.1(d)(2), a copy of any objections is to be served upon this Magistrate Judge.

Any objections must be labeled as “Objection #1,” “Objection #2,” etc.; any objection must recite *precisely* the provision of this Report and Recommendation to which it pertains. Not later than fourteen (14) days after service of an objection, the opposing party must file a concise response proportionate to the objections in length and complexity. The response must specifically address each issue raised in the objections, in the same order and labeled as “Response to Objection #1,” “Response to Objection #2,” etc.

s/R. Steven Whalen

R. STEVEN WHALEN

United States Magistrate Judge

Dated: October 6, 2015

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was sent to parties of record on October 6, 2015, electronically and/or by U.S. mail.

s/C. Ciesla  
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Case Manager